

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Gridley to remove the Laurel Street crossing of the Union Pacific Railroad Company tracks and construct a new crossing in the City of Gridley, County of Butte.

Application 04-02-031
(Filed February 27, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING DATE FOR REPLY BRIEFS ON NOVEMBER 21, 2005**

The City of Gridley (the City) seeks authority to construct an at-grade crossing of Union Pacific Railroad Company (Union Pacific) tracks in Gridley to serve a new industrial development, while at the same time closing one lightly used crossing and limiting access to another existing crossing. Union Pacific has protested the application, primarily on grounds of safety. Two days of hearing were conducted on April 19 and 20, 2005, and opening briefs were filed on June 27, 2005.

On July 7, 2005, the City and Union Pacific agreed to invoke the Commission's mediation process in an attempt to resolve outstanding issues. Accordingly, the procedural schedule in this matter was stayed and the date for filing of reply briefs (July 25, 2005) was postponed pending the results of mediation. The parties agreed to this extension of time in resolving the matter.

Mediation was conducted during the week of October 3, 2005. The Commission-appointed mediator reported that while the parties were willing to negotiate on virtually all elements of their dispute, they were unable to reach a resolution. Accordingly, mediation has concluded without success and the stay of proceedings is lifted.

Concurrent opening briefs in this matter were filed on June 27, 2005. This ruling directs that parties may (but are not required to) file reply briefs on or before Monday, November 21, 2005, at which time the application will be deemed submitted for a Commission decision.

The parties are encouraged to continue to seek settlement in this matter. If settlement is reached and the Union Pacific protest is withdrawn prior to November 21, 2005, reply briefs need not be filed.

IT IS RULED that the stay in the procedural schedule in this matter is lifted. Parties may (but are not required to) file reply briefs on or before November 21, 2005. If the matter is settled and the protest is withdrawn prior to November 21, 2005, reply briefs need not be filed.

Dated October 17, 2005, at San Francisco, California.

/s/ GLEN WALKER
Glen Walker
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Date for Reply Briefs on November 21, 2005 on all parties of record in this proceeding or their attorneys of record.

Dated October 17, 2005, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.